IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION.

CIVIL APPLICATION NO.2026 OF 2006
IN
WRIT PETITION NO.3448 OF 2004

Uttam Baburao Malvankar
(Deceased) Through L.R.
Pravin Uttamrao Malvankar : Applicant.

versus

The State of Maharashtra & ors. : Respondents.

Shri P.B.Shaligram, Advocate, for the applicant.

Shri P.P.Kakade, AGP, for the Respondent Nos.1 to 3.

CORAM : R.M.S.KHANDEPARKAR &
NARESH H. PATIL, JJ.

DATED : 19th AUGUST 2006.

ORAL ORDER

1. Heard the advocates for the parties. Perused the record.

2. The order dated 21st September 2004 in Writ Petition No.3448 of 2004 refers to an area of 0.50 Are. Undoubtedly, the said reference to the area was on the basis of letter dated 24th August 2004 by the Under Secretary of Revenue

Department. It is now revealed from the letter dated 26th July 2006 by the Collector to the Under Secretary and, followed by the letter from the Commissioner, Pune to the Principal Secretary of Revenue Department that in fact the land which was proposed to be allotted to the applicant was 50 Ares and not 0.50 Are. Consequently, the applicant is justified in contending that the order dated 21st September 2004 needs to be modified in relation to the area of the land sanctioned for the applicant and, therefore, the reference there to in the said order should be read as "50 Ares" in read of "0.50 Are". Order dated 21st September 2004 passed in Writ Petition No.3448 of 2004 accordingly stands corrected. Application stands disposed of.

[R.M.S.KHANDEPARKAR, J]

[NARESH H. PATIL, J]